

R E M A R K S

Claims 3 and 18 currently remain in the application. Claims 1, 2, 4-17, 19 and 20 are canceled. No claims are herein amended.

Claims 3 and 18 were rejected under 35 U.S.C. 103 over Fukuda in view of Ball. For the reasons described below, however, the Examiner is requested to reconsider the rejection.

In Paragraph 2 of the Official Letter, the Examiner refers firstly to "heater driver means 59 which moves heater unit between retracted and operating positions" (lines 5-6), but the Examiner is requested to note that what Fukuda actually says in the specification is that "they can be moved radially towards or away from the center of the tubular form of the film material S at the same rate" (column 8, lines 1-7), and the motion between the "retracted position" and the "operating position" is effected by the air cylinder. Although the examiner refers secondly to "an air cylinder 78 for controlling the compressive force of the heater unit 55 and film S" (lines 6-7), what Fukuda actually says in the specification is that "the air cylinder 78 serves to retract the vertical seal belt 55 away from its normal position in contact with the film material S" (column 8, lines 8-12) and that "the vertical seal belt 55 is made to contact the film material S again by the operation of the air cylinder 78" (column 8, lines 23-25). In other words, it is by the air cylinder that the vertical seal belt moves between the retracted and operating positions. In summary, the Examiner is erroneously citing the reference because it is NOT the heater driver means that causes the motion between the retracted and operating positions and it is NOT the air cylinder that controls the compressive force.

Still in Paragraph 2 of the Official Letter, the Examiner states that Fukuda does not disclose heater driver as another cylinder (line 11), but it should be clear from the disclosure that Fukuda's air cylinder 78 DOES correspond to the "another cylinder."

From Paragraph 2, line 11 and thereafter, the Examiner seems to argue that it is obvious to replace the motor 45 and the screw 59 by an air cylinder in view of Ball, but the claimed invention requires the following three elements:

- (a) motor 73 and screw 74;
- (b) air cylinder 71; and
- (c) air cylinder 66.

By contrast, however, Fukuda discloses only:

- (a') motor 45 and screw 59; and
- (b') air cylinder 78.

Even if it were obvious to replace a motor by an air cylinder, as argued by the Examiner, such replacements of (a') and (b') would not result in the present invention which requires (a), (b) and (c). In summary, the Examiner is requested to note the requirement for the air cylinder 66 in (c). Nowhere has the Examiner argued that the addition of such an extra required element is obvious.

Fukuda does not specifically describe the control of the compressive force by the air cylinder 78 although it may be considered to have both the function of moving between the retracted and operating positions and providing a compressive force. The present invention may be characterized as dividing a conventionally single air cylinder into two with separate functions of motion between the two positions and of controlling the compressive force such that the merits described in page 2 of the specification can be enjoyed. Fukuda may be considered to suggest "substitution" but does not describe or even hint at dividing a single air cylinder into two air cylinders having two separate functions.


The Examiner is requested to review Amendment "E" mailed October 30, 2006 in this application, and in particular the third paragraph in the middle part of page 4 thereof where the additional provision of a pressure-adjusting air cylinder 66 is discussed. Applicant is curious to know why the Examiner did not comment at all on this pressure-adjusting air cylinder in the Official Letter.

Next, Paragraph 3 in page 3 of the Official Letter will be commented upon.

The Examiner states therein that "Motor 51 assists in rotating the belts" (line 2), but the motor indicated by numeral 51 is for rotating the seal belt pulley and is NOT for moving or adjust the pressure on the seal belt. Thus, it is believed that the argument by the Examiner is irrelevant.

In summary, applicant believes that the arguments of the Examiner in said Official Letter are erroneous or irrelevant, and that the Examiner would be allowing the application after reconsidering the previously given conclusions of rejection. Such an action at an early date is earnestly solicited.

Respectfully submitted,


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